

Message Text

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ACTION EUR-12

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SUBJECT: GOVERNMENT PURCHASING; TCWP JAN. 12-14

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1. SUMMARY: IN SERIES OF LENGTHY SESSIONS JAN. 12-14
TCWP REVIEWED AND APPROVED, ON VIRTUALLY WORD BY WORD
BASIS, REPORT TO TRADE COMMITTEE. MAIN SUBSTANTIVE
DIFFERENCE FROM ORIGINAL DRAFT IS MORE PRECISE IDENTI-
FICATION OF COUNTRIES WITH POSITIONS AND BRIEF SUMMARIES
OF EC AND US PROPOSALS WHICH APPEAR IN INTRODUCTION.

COPIES OF REPORT ADDRESSED TO CLARK, EB/STA, AND POMER-
ANZ, STR ARE BEING HAND CARRIED BY D. WILSON, EB/FSE,
PHONE: 632.89.88, WHO SHOULD BE IN DEPARTMENT JANU-
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ARY 16. END SUMMARY.

2. MAIN THEME OF MEETING WAS STRUGGLE BY US, CANADA AND (HALF-HEARTEDLY) JAPAN TO RESIST ATTEMPTS BY EC (WITH ACTIVE SUPPORT OF SWEDEN AND SWITZERLAND AND ACQUIESCENCE OF OTHERS) TO HAVE REPORT PREJUDGE AREAS FOR PRIORITY CONSIDERATION BY TRADE COMMITTEE AND TO PAINT POSITIONS IN TERMS OF TWO OPPOSING PHILOSOPHIES. EC TRIED TO GET MAXIMUM IDENTIFICATION OF POSITIONS WITH SPECIFIC COUNTRIES AND TO DOWNPLAY MAIN BODY OF REPORT IN FAVOR OF INTRODUCTION, IN WHICH RECENT EC PROPOSALS WOULD BE HIGHLIGHTED.

3. RATIONALE GIVEN BY EC REP (DERISBOURG) FOR EC APPROACH WAS DESIRE TO ACHIEVE MAXIMUM CLARITY OF SITUATION AND PRESENT CLEAR CHOICES TO TC. (COMMENT: WE FIND THIS UNCONVINCING BECAUSE TC IS OBVIOUSLY NOT IN POSITION TO IN SOME SENSE "CHOOSE" BETWEEN EC AND US PROPOSALS AS WORKING HYPOTHESES. MORE LIKELY EXPLANATION IS THAT DERISBOURG'S PURPOSE WAS TO CONSOLIDATE UNITY OF NINE BEHIND COMMISSION PROPOSALS IN A COMPREHENSIVE MANNER AND PERHAPS PAVE WAY FOR GIVING COMMISSION LONGER LEASH IN ANY FUTURE NEGOTIATIONS WITHIN OECD.)

4. US AND CANADA INSISTED THAT ENTIRE REPORT BE GONE THROUGH BY WORKING PARTY BEFORE EC PROPOSALS FOR INTRODUCTION WERE ADDRESSED (WITH RESULT MEETING HAD TO BE EXTENDED BY HALF-DAY) AND SUCCEEDED IN HAVING ANNEX FOLDED INTO MAIN BODY OF REPORT AND AVOIDING SELECTIVE TREATMENT OF KEY ISSUES. US WAS ABLE TO MAKE MOST OF CHANGES SUGGESTED REFTEL. ON WHOLE, MAIN BODY IS NOW ACCURATE PORTRAIT OF ISSUES AND POSITIONS, ALTHOUGH IT IS UNAVOIDABLE THAT ONLY TWO DELEGATIONS AND SOMETIMES ONLY US ARE ASSOCIATED WITH CERTAIN POSITIONS, AND DRAFTING IS CLEARLY A COMMITTEE PRODUCT. CANADIANS SUCCESSFULLY ADDED GOOD PARAGRAPH ON STATISTICS FOR NEGOTIATION PURPOSES TO PART 1.

5. WHILE EC BACKED DOWN FROM ORIGINAL PROPOSAL TO HAVE GROUP AGREE ON SET OF DISCUSSION ISSUES FOR TC TO BE POSED IN TEXT, EC REP INSISTED THAT HIS LIMITED OFFICIAL USE

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SUMMARY OF EC PROPOSALS MADE AT LAST MEETING BE INCLUDED IN INTRODUCTION PORTION OF TEXT. TO RESTORE BALANCE, US ADDED PARAGRAPH SUMMARIZING PRELIMINARY REACTIONS VOICED BY US AT LAST TCWP MEETING TO EC PROPOSALS AND KEY ELEMENTS OF US PROPOSALS REGARDING INSTRUMENT. CANADA, SWITZERLAND AND SWEDEN (LATTER TWO JOINTLY) ADDED BRIEF GENERAL PARAGRAPHS ON THEIR ATTITUDES TO EC PROPOSALS. THESE ADDITIONS OCCUR AFTER PARA 4 OF

REPORT. PARA 2, ALSO REDRAFTED AT INSISTANCE OF EC AND OTHERS, NOW MAKES A MORE POINTED REQUEST TO TC ON GUIDANCE AND NOTES MORE SPECIFICALLY EC'S DESIRE TO ENTER INTO MORE SUBSTANTIVE NEGOTIATIONS WITHIN THE OECD.

6. ONLY SECTION OF REPORT APPROVED LARGELY AS IT WAS IN DRAFT WAS THAT ON LDC'S. THIS INVOLVED, HOWEVER, CONSIDERABLE DEBATE AMONG SPAIN, GREECE, AND PORTUGAL, WHO, THOUGH APPARENTLY UNINSTRUCTED, TOOK DIFFERENT STANDPOINTS ON LDC'S RELATION TO DRAFT INSTRUMENT. SPAIN REPEATED ITS DESIRE TO BE SIGNATORY WITH GENERAL DEROGATION, WHILE GREECE STRESSED IDEA OF "ASSOCIATED" STATUS. PORTUGAL MADE LENGTHY ARGUMENT THAT PROBLEMS PARTICULAR TO LDC MEMBERS OF OECD NEEDED EARLY ATTENTION, AND SENTENCE TO THIS EFFECT WAS ADDED TO PARAGRAPH 24.

7. UK DEL, ON POINT UNRELATED TO REPORT, QUERIED OTHERS AS TO WHETHER INDUSTRY REPS WERE SEEING DOCUMENTS RELATED TO OECD GOVERNMENT PURCHASING WORK, SAYING UK INDUSTRY HAD COMPLAINED THAT THEIR COUNTERPARTS ELSEWHERE HAD ACCESS TO THESE. CANADA SAID NO DOCUMENTS HAD BEEN SHOWN TO INDUSTRY. SWEDEN SAID A COMMITTEE WHICH INCLUDED INDUSTRY REPS REGULARLY REVIEWED WORK IN THIS AREA INCLUDING DOCUMENTS. FRG AND SWISS GAVE VIEW THIS WAS MATTER FOR EACH COUNTRY TO HANDLE IN OWN WAY AND SHOULD NOT BE OF CONCERN TO OTHERS. US DEL NOTED INDUSTRY CONSULTATION MECHANISM MANDATED BY TRADE ACT FOR MTN BUT SAID HE WAS NOT IN POSITION TO SAY WHETHER INDUSTRY REPS HAD REVIEWED ANY PARTICULAR DOCUMENTS.

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